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Of Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ELIXIR THERAPEUTICS, LLC, a
Wyoming limited liability company,

Plaintiff, Counterclaim-Defendant,

vs.

**GLOBAL INNOVATIVE CONCEPTS,
LLC**, an Alabama limited liability company,

Defendant, Counterclaim-Plaintiff.

Case No. 3:20-cv-2055-YY

**DEFENDANT'S MOTION FOR
EXTENSION OF DISCOVERY AND
CASE DEADLINES**

Expedited Consideration Requested

LR 7-1 CERTIFICATION

In compliance with Local Rule 7-1, the undersigned counsel certifies that he conferred with Plaintiff's counsel several times over the past week on the extensions raised herein. Unfortunately, Plaintiff's counsel has been unable to obtain confirmation from his client on whether Plaintiff objects or consents to the relief requested herein. Therefore, Defendant is moving forward with the requested relief on an Expedited Basis due to the impending case deadlines.

MOTION

Pursuant to LR 16-3, Defendant Global Innovative Concepts, LLC (“GIC”) moves for a 75-day extension of the current case deadlines set forth in the January 12, 2021 Scheduling Order (ECF 12) and the May 18, 2021 Order Granting Plaintiff’s Motion to Extend Discovery and Pretrial Deadlines (ECF 20) and to re-open discovery for 60 days.

Despite the ongoing COVID-19 Pandemic, the parties initially believed that this case was ripe for a “fast-track” case schedule, with trial commencing in early October, 2021, less than a year after Defendant was served with the complaint in state court. The parties worked diligently to meet all deadlines and exchanged and responded to various discovery requests and produced certain documents before discovery closed on June 30, 2021. Despite these efforts, and due to a change of counsel, ongoing delays presented by the Pandemic, as well as renewed efforts to settle this matter, GIC wishes to extend the current, impending deadlines, as well as to re-open discovery for a limited period should the parties require any further discovery to resolve this matter. As noted in the LR 7-1 Conferral above, counsel for the parties conferred on this requested extension, with the possibility of settlement guiding the discussion. However, Plaintiff’s counsel has been unable to confer with his client on the matter. In an effort to avoid offending any upcoming deadlines, GIC is moving forward with this request on an Expedited Basis.

Re-opening discovery for a limited period of time, for 60 days from today or until September 27, 2021, will promote settlement by allowing discovery on remaining issues necessary to negotiate settlement of the matter. Further, a 75-day extension of all other current deadlines would allow sufficient time to negotiate settlement terms and prepare the accompanying paperwork if an agreement were to be reached, or alternatively sufficient time to prepare for trial on what remains a very fast track, should trial ultimately be necessary.

The new deadlines requested are reflected in the table below:

Event	Current Deadline	New Deadline
Fact Discovery Deadline	June 30, 2021	September 27, 2021
Dispositive Motion Deadline	July 30, 2021	October 13, 2021
Pre-trial Conference	September 24, 2021	December 8, 2021
3-Day Jury Trial	October 4, 2021	December 20, 2021

As explained above, and pursuant to LR 16-3, the parties have effectively used the time in this case but good cause exists to extend the current deadlines to the limited extent requested.

CONCLUSION

The Court should grant GIC's request to re-open discovery for a period of 60 days and grant a 75-day extension of all other impending case deadlines.

Dated: July 29, 2021.

Respectfully submitted,

SCHWABE, WILLIAMSON & WYATT,
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